UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,396	07/06/2006	Justin Picard	PU050068	2523

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EXAMINER
SONG, HOSUK

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2435	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>06 July 2006</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>53 and 55-84</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>53,55-58,62-68,70,71,74,75,78,79,83 and 84</u> is/are rejected.

7) ☒ Claim(s) <u>59-61,69,72,73,76,77 and 80-82</u> is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>20 May 2008</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>7/22/08;7/6/08</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis

for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 53,55-58,62-68,70-71,74-75,78-79,83-84 are rejected under 35 U.S.C. 102(e) as being

anticipated by Zeller et al(US 7,054,461).

Claim 53: Zeller disclose the digital representation includes a representation of a copy detection

signal that is sensitive to transformations produced by digital-to-analog and analog-to-digital conversion,

whereby the representation of the copy detection signal may be used to determine whether another digital

representation of the analog signal was made by digitizing an analog signal produced from the digital

representation in (col.3,lines 34-58;col.15,lines 15-31;col.22,lines 42-53).

Claim 55: Zeller disclose selecting sets of patterns elements belonging to the digital

authentication pattern to carry message elements of the message and for each selected set, setting the

values of the patterns elements in the set to carry the message element such that the digital authentication

pattern's ability to detect copying remains substantially unchanged in (col.16,lines 56-67;col.17,lines 1-

12; col.18,lines 23-30).

Claim 56: Zeller disclose setting the values such that the entropy of the digital authentication

pattern is substantially unchanged in (col.15,lines 5-15;col.17,lines 66-67;col.18,lines 1-18).

Claim 57: Zeller disclose message elements specify values belonging to a range thereof ; and a

selected set of pattern elements is set to indicate a message element specifying one of the values of the

range in setting set in (col.16,lines 61-67;col.17,lines 1-12,59-65).

Claim 58: Zeller disclose selected set is set using a key in (col.19,lines 47-65).

Claim 62: Zeller disclose message is encoded using a key in (col.17,lines 36-58).

Claim 63: Zeller disclose selecting act, a key is used to select the set of pattern elements that an elements that an element of the message is inserted into in (col.19,lines 40-65).

Claim 64: Zeller disclose pattern element is a primitive element of the digital representation to which the digital authentication pattern belongs in (col.4,lines 34-53).

Claim 65: Zeller disclose storage device contains code which when executed by a processor in (col.3,lines 35-40).

Claim 66: Zeller disclose a plurality of sets of pattern elements, the plurality of sets of pattern elements including sets thereof that carry message elements belonging to the message and in set that carries message element, the sets values are set such that the digital authentication pattern's ability to detect copying remain substantially unchanged in (col.4,lines 34-53; col.16,lines 61-67;col.17,lines 1-12,59-65).

Claim 67: Zeller disclose setting the values such that the entropy of the digital authentication pattern is substantially unchanged in (col.15,lines 5-15;col.17,lines 66-67;col.18,lines 1-18).

Claim 68: Zeller disclose the message elements specify values belonging to a range thereof and in a set that carries message elements, the set's values are set to indicate a message element specifying one of the values of the range in (col.16,lines 61-67;col.17,lines 1-12,59-65).

Claim 70: Zeller disclose the pattern element is a primitive element of the digital representation to which the digital authentication pattern belongs in (col.4,lines 34-53).

Claim 71: Zeller disclose the pattern element is a pixel in (col.4,lines 50-65).

Claim 74: Zeller disclose the storage device contains the digital authentication in (col.3,lines 52-65).

Claim 75: Zeller disclose selecting sets of the pattern elements from the plurality, selected sets carrying message elements of the message and the values of selected set's pattern elements being set such that the digital authentication pattern's ability to detect copying remains substantially unchanged(col.16,lines 5-17) and for each selected set, comparing the selected set with equivalent sets that have a possible value of the message element to determine a value of the message element in the selected set in (col.4,lines 34-53; col.16,lines 61-67;col.17,lines 1-12,59-65).

Claim 78: Zeller disclose message elements specify values belonging to a range thereof and equivalent sets of pattern elements include a set for each of the values in the range in (col.17,lines 44-65).

Claim 79: Zeller disclose selection is done using a key in selecting act in (col.19,lines 47-65).

Claim 83: Zeller disclose message element is repeated in the set of pattern elements and further comprising sets of pattern elements containing the repeated message element to statistically determine a value of the repeated message element in (col.17,lines 1-25).

Claim 84: Zeller disclose storage device in (col.3,lines 35-40).

Allowable Subject Matter

Claims 56-61,69,72-73,76-77,80-82 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

USPTO Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOSUK SONG whose telephone number is 5712723857. The examiner can normally be reached on mon-fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM VU can be reached on 5712723859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

   Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer

Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR

CANADA) or 571-272-1000.

/HOSUK SONG/
Primary Examiner, Art Unit 2435